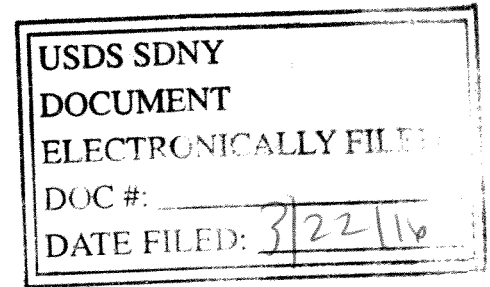


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
EDITH GETHERS-TRENT, individually and on :  
behalf of all others similarly situated :  
Plaintiff, :  
:  
v. :  
:  
ORTHONET, LLC, :  
Defendant. :  
-----X

**ORDER**

15 CV 7743 (VB)



On March 7, 2016, plaintiff in this Fair Labor Standards Act case filed a Motion for Approval of Settlement (Doc. #36), along with the settlement agreement and release entered into between the parties, for approval by the Court as required by Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).

On March 10, 2016, the Court issued a Memorandum Order in which it found the plaintiff's submission insufficient under Cheeks and its progeny. (Doc. #37). Accordingly, the Court ordered the parties to submit a second, joint letter or memorandum providing additional explanation for why the settlement is fair and reasonable and addressing in particular the attorneys' fees and release provisions. (Id.).

In accordance with the Court's March 10 Order, on March 18, 2016, the parties submitted a joint letter in support of the settlement and release, along with two attorney affidavits providing an explanation of the attorneys' fees. (Doc. #38 and its exhibits).

Having considered the parties' positions as to the proper valuation of plaintiff's claims, the potential costs of continuing to litigate, the fact that the plaintiff is represented by experienced counsel, the fact that plaintiff no longer works for defendant, and the fact that plaintiff is receiving more than 100% of her claimed damages plus attorney's fees, the Court finds that the settlement and release are fair and reasonable, and the product of arm's-length

negotiation, not fraud or collusion. Moreover, now that the parties have provided a detailed explanation of the work performed by plaintiff's attorneys in this case, the Court finds the attorneys' fees to be fair and reasonable under the circumstances.

Accordingly, the parties' settlement agreement and release (Doc. #38, Exh. 1) are hereby APPROVED.

The Court will separately docket the "so ordered" Stipulation and Order of Dismissal With Prejudice.

The pending motion to dismiss is moot. (Doc. #23).

The Clerk is instructed to terminate the motions (Docs. ##23, 36) and close this case.

Dated: March 22, 2016  
White Plains, NY

SO ORDERED

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge